

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
January 09, 2025
LAURA A. AUSTIN, CLERK
BY: s/A. Beeson
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

MELISSA KILGORE,

Plaintiff,

v.

SOUTHWEST VIRGINIA REGIONAL
JAIL AUTHORITY – DUFFIELD,

Defendant.

Civil Action No. 7:24-cv-00849

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Melissa Kilgore, proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. By Order entered December 3, 2024, the Court advised Plaintiff that she must notify the Court in writing immediately upon her transfer or release and provide the Court with her new address. (Order 3 [ECF No. 3].) The Court further advised Plaintiff that her failure to provide an updated address would result in dismissal of this action. (*Id.*)

On January 3, 2025, an order mailed to Plaintiff was returned to the Court as undeliverable, indicating that Plaintiff is no longer incarcerated at Southwest Virginia Regional Jail – Duffield and providing no forwarding address. (*See* Returned Mail [ECF No. 4].) To date, Plaintiff has not provided the Court with an updated address. Accordingly, the Court will dismiss this action without prejudice for failure to comply with the Court's order. *See* Fed. R. Civ. P. 41(b). The dismissal is without prejudice to Plaintiff's opportunity to refile her claims in a separate civil action, subject to the applicable statute of limitations.

ENTERED this 9th day of January, 2025.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE